

Original  
Scan onlyUNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

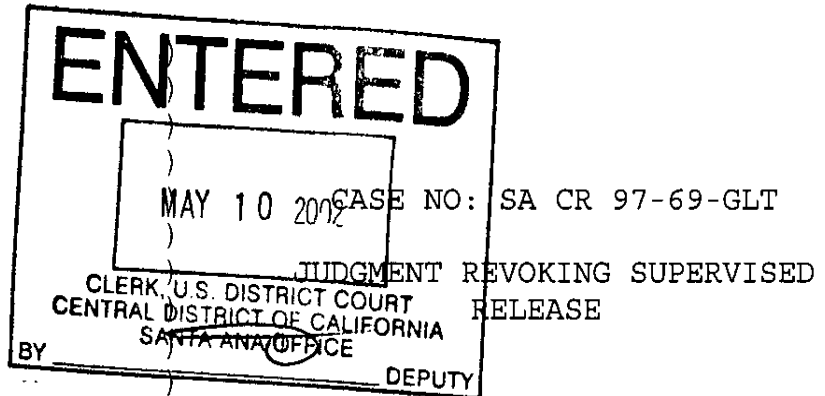
UNITED STATES OF AMERICA,

Plaintiff,

vs

JAMES PECK,

Defendant.



WHEREAS, on April 25, 2002, came the attorney for the Government and the defendant appeared in person with appointed counsel, C. Thomas McDonald; the defendant was advised of his rights and the defendant admitted the allegations,

WHEREAS, on April 25, 2002, the Court FOUND that the defendant violated the conditions of the supervised release imposed on December 8, 1997, (copy attached hereto)

IT IS ADJUDGED, upon the findings of the Court, that supervised release is revoked.

IT IS ORDERED that the defendant is hereby committed to the custody of the Bureau of Prisons to be imprisoned for a term of six (6) months, with no additional term of supervision.

The Court recommends that the defendant be housed in a facility in Southern California, to facilitate visitation with family and friends.

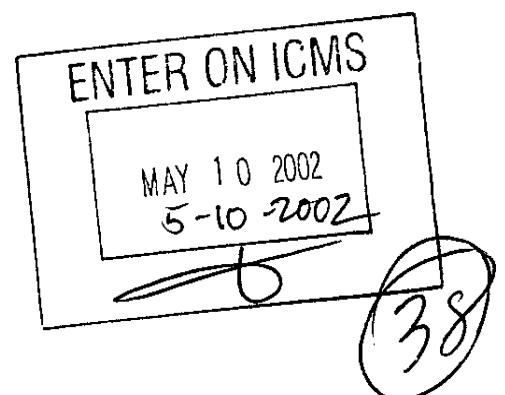
IT IS FURTHER ORDERED that the Clerk deliver a certified copy of this judgment modifying or revoking conditions of supervised release to the U.S. Marshal and the U.S. Probation Office and this copy shall serve as the commitment of the defendant.

DATE: April 29, 2002

GARY L. TAYLOR  
UNITED STATES DISTRICT JUDGE

FILED:  
SHERRI R. CARTER, CLERK

by Lisa Bredahl  
Deputy Clerk



38

United States District Court  
Central District of California

UNITED STATES OF AMERICA vs.

Defendant JAMES PECK

& Residence 341 Monterey Way, #B

Address Placentia, CA 92870

Docket No. SACR97-69-1-GLT

Social Security No. 099-58-6643

Mailing Address: same as residence

JUDGMENT AND PROBATION/COMMITMENT ORDER

In the presence of the attorney for the government, the defendant appeared in person,  
on this date: December 8, 1997

Month / Day / Year

COUNSEL: XX WITH COUNSEL Thomas McDonald, appointed  
(Name of Counsel)

PLEA: XX GUILTY, and the Court being satisfied that there is a factual  
basis for the plea.        NOLO CONTENDERE        NOT GUILTY

FINDING: There being a finding of GUILTY, defendant has been convicted  
as charged of the offense(s) of: Mail Fraud, in violation of 18 USC 1341, as  
charged in Count 1 of the Information and Wire Fraud, in violation of 18 USC 1343, as charged  
in Count 2 of the Information.

JUDGMENT AND PROBATION/COMMITMENT ORDER:

The Court asked whether defendant had anything to say why judgment should not be  
pronounced. Because no sufficient cause to the contrary was shown, or appeared to the Court,  
the Court adjudged the defendant guilty as charged and convicted and ordered that:  
Pursuant to 18 USC 2327, it is ordered that the defendant shall make  
restitution in the total amount of \$48,909.00 to the persons and in the  
amounts as set forth in the attached schedule.

Nominal restitution payments are ordered as the Court finds that the  
defendant's economic circumstances do not allow for either immediate or  
future payment of the full amount ordered. During the period of  
incarceration the defendant shall make quarterly restitution payments of at  
least \$25.00. During the period of supervised release, the defendant shall  
make quarterly restitution payments of \$2,000.00.

Pursuant to the Sentencing Reform Act of 1984, it is the judgment of the  
Court that the defendant is hereby committed on Counts 1 and 2 of the  
Information to the custody of the Bureau of Prisons to be imprisoned for a  
term of 12 months and one day. This term consists of 12 months and one day on  
each of Counts 1 and 2 of the Information to be served concurrently. Upon  
release from imprisonment, the defendant shall be placed on supervised  
release for a term of three years. This term consists of three years on each  
of Counts 1 and 2 of the Information, such terms to run concurrently under  
the following terms and conditions: 1) The defendant shall comply with the  
rules and regulations of the Probation Office and General Order 318; 2) Upon  
the start of community supervision, the defendant shall make quarterly  
restitution payments in the amount of at least \$2,000.00 during the period of  
supervision. If the defendant is unable to make the scheduled restitution  
payments, he shall provide the Probation Officer with an accounting of his  
income and expenditures which shall be substantiated by receipts; 3) The  
defendant shall participate in outpatient substance abuse treatment and  
submit to drug or alcohol testing, as instructed by the Probation Officer.  
The defendant shall abstain from using illicit drugs and alcohol and abusing  
prescription medications during the period of supervision; 4) If the amount  
of any mandatory assessment imposed by this judgment remains unpaid at the  
commencement of the term of community supervision, the defendant shall pay

United States District Court  
Central District of CaliforniaUNITED STATES OF AMERICA  
vsDocket No. SACR97-69-1-GLTDefendant JAMES PECKDATE: December 8, 1997JUDGMENT AND PROBATION/COMMITMENT ORDER

continued from page 1

such remainder as directed by the Probation Officer; 5) The defendant shall notify the Court of any material change in defendant's economic circumstances that might affect the defendant's ability to pay restitution or special assessments; 6) The defendant shall not be employed as a telemarketer or in any way be associated with a telemarketing enterprise.

Pursuant to Sec. 5E1.2(f), of the Guidelines, all fines are waived, including the costs of imprisonment and supervision as it is found that defendant does not have the ability to pay.

It is further ordered that the defendant shall pay to the United States a special assessment of \$200.00.

It is further ordered that the defendant surrender himself to the institution designated by the Bureau of Prisons on or before 12 noon on January 22, 1998. In the absence of such designation, the defendant shall report on or before 12 noon on January 22, 1998 to the United States Marshal located at 751 West Santa Ana Boulevard, Santa Ana, CA 92701 or 312 North Spring Street, Los Angeles, California. Bond is ordered exonerated upon surrender.

In addition to the special conditions of supervision imposed above, it is hereby ordered that the Standard Conditions of Probation and Supervised Release set out on the reverse side of this judgment be imposed. the Court may change the conditions of supervision, reduce or extend the period of supervision, and at any time during the supervision period or within the maximum period permitted by law, may issue a warrant and revoke supervision for a violation occurring during the supervision period.

Signed by: District Judge

  
Gary L. Taylor

Dated:

12-11-97

It is ordered that the Clerk deliver a certified copy of this Judgment and Probation/Commitment Order to the U.S. Marshal or other qualified officer.

Dated/Filed

12-11-97  
Month / Day / Year

Sherri R. Carter, Clerk

By

  
K.G. Peterson, Deputy Clerk

<u>Victim/Address</u>	<u>Amount</u>
Marion Ambo 2333 Kapiolani Blvd. Honolulu, Hawaii 96026	\$1,200
Delores Anderson 584 Arlington Ave. Elmhurst, IL 60126	\$600
Lillian Azeltine 1555 Jonquil Ave. Latimer, IA 50452	\$2,600
Roscoe Balcom 404 E. Kern St. Springfield, MO	\$300
Beatrice Bauer 217 County Rd., 131 Callicoon, NY 12723	\$300
Mildred Beggs 440 E. 5th St. Red Wing, MN 55066	\$299
Florence Bentley 111 S. Central Ave. Shelbina, MO 63468	\$1,860
Helen Bowles 119 N. Loomis Ave. Fort Collins, CO 80521	\$300
George Bransom Rt. 1, Box 200 Burleson, TX 76028	\$1,250
Estella Brown 4402 Lambert Rd. Louisiville, KY 40213	\$600
Clifford Craven 14465 Montcalm Ave. Freeport, MI 49325	\$400
Claude DeFraine 167 Central St. Manville, RI 02838	\$1,200
Catherine Deshazo Rt. 2, Box 449 Tappahannock, VA 22560	\$450

Florence Durney 2640 Winner Rd. Sharpsville, PA 16150	\$1,800
Howard Facio 10210 Oleander Dr. Port Richey, FL 34668	\$800
Beatrice Fraley RR1, Box 1213 Alton, MO 65606	\$400
Kathryn Hurt 800 Southerly Rd. 1801 Towson, MD 21286	\$800
Dorothy Johnson 665 E. Morgan St. Spence, IN 47460	\$4,100
Edward Kennedy 319 Lytle St. Harbor Beach, MI 48441	\$600
Ruby Kennel 1309 Carol Dr. Roanoke, VA 61561	\$400
Ann Kindsvatter 633 E. Main Moorestown, NJ 08057	\$600
Jeanne Kiofsky 9222 Garrison Dr. 203B Indianapolis, IN 46240	\$800
Glenn Koger 298 Jarvis Ave. Holyoke, MA 01040	\$1,200
Karl Kohl 2940 Kohl Dr. Dayton, OH 45432	\$300
Agnes Konvicka 506 Acres Lane Sealy, TX 77474	\$2,800
Thelma Kouzes 1524 Barkley Dr. Fairfax, VA 22031	\$600

Thelma Larue RR1, Box 130 McLeanboro, IL 62859	\$4,200
Marie Logan 182 Furlong St. Rochester, NY 14621	\$400
Dorothy Lowry 4906 W. Soon Warsaw, IN 46580	\$300
Cora Maurer 167 Sherman Ave. Lexington, KY	\$800
Ora Meacham 432 W. 750 N Logan, UT 84321	\$800
Helen Morrow 970 Westphal Ave. Columbus, OH 43227	\$800
Mable Nelson 73511 - 16th Ave. South Haven, MI 49090	\$300
Helen Nugent 2180 King Ave. Hermatige, PA 16148	\$1,200
Urho Nummela N5230 Benson Rd. Eben Junction, MI 49825	\$1,200
Ellen Price 142 Childs Place Ogden, UT 84464	\$150
Elyse Rinkenberger 189 Barberry Rd. Highland Park, IL	\$2,800
Marjorie Seyfert 813 Champa Pratt, KS 67124	\$1,800
Magella Shafer 9 Barn Rd. Pollock, ID 83547	\$1,300

Margaret Sieber 2419 Ferguson Cincinnati, OH 45235	\$600
Gloria Smith 6706 - 14th Place Washington, DC 20012-2806	\$400
Aaron Soong, Jr. 750 Hawaii St. Honolulu, HI 96817	\$1,000
Esther Stark 200 S. Monroe St. #21 Albion, MI 49224	\$300
Florence Survey 2640 Winner Rd. Sharpsville, PA 16150	\$1,800
Clarence Tonneson 1011 W. 8th, #13 Mitchelle, SD 57301	\$600
Viola Wright 2040 W. Baja Ave. La Habra, CA	\$1,600
<u>Total Restitution Amount:</u>	\$48,909

Doc. 1st 7

DEFENDANT: JAMES PECK  
CASE NO: SA CR 97-69-GLT

### STATEMENT OF REASONS

☒ The court adopts the factual findings and guideline application in the presentence report.

OR

☐ The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

#### Guideline Range Determined by the Court:

Total Offense Level: 13

Criminal History Category: I

Imprisonment Range: 12 to 18 months.

Supervised Release Range: 2 to 3 years.

Fine Range: \$ 3,000 to \$ 30,000

☒ Fine is waived or is below the guideline range, because of inability to pay.

Total Amount of Restitution: \$ 48,909

☐ Restitution is not ordered because the complication and prolongation of the sentencing process resulting from the fashioning of a restitution order outweighs the need to provide restitution to any victims, pursuant to 18 U.S.C. § 3663(d).

☐ For offenses that require the total amount of loss to be stated, pursuant to Chapters 109A, 110, 110A, and 113A of Title 18, restitution is not ordered because the economic circumstances of the defendant do not allow for the payment of any amount of a restitution order, and do not allow for the payment of any or some portion of a restitution order in the foreseeable future under any reasonable schedule of payments.

☐ Partial restitution is ordered for the following reason(s):

☒ The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by the application of the guidelines.

OR

☐ The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range:

☐ upon motion of the government, as a result of defendant's substantial assistance.

☐ for the following reason(s):

